

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PARIS L. JAMES,	:	
Plaintiff,	:	
	:	
v.	:	No. 1:14-cv-01951
	:	
	:	(Judge Kane)
DAVID VARANO, <u>et al.</u>,	:	
Defendants	:	

ORDER

AND NOW, on this 23rd day of March 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion to appoint counsel (Doc. No. 135), is **DENIED** as **MOOT**;
2. Plaintiff's motion to file a sur-reply brief (Doc. No. 138), is **DENIED**;
3. Medical Defendants Brian Davis and Jennifer Daya's motion for summary judgment (Doc. No. 103), is **GRANTED** with respect to Plaintiff's Eighth Amendment deliberate indifference to a serious medical need claim. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** in favor of Defendants Davis and Daya and against Plaintiff on this Count;
4. The Corrections Defendants' motion for summary judgment (Doc. No. 113), is **GRANTED** as follows:
 - a. Summary judgment is **GRANTED** in favor of the Corrections Defendants with respect to Plaintiff's Eighth Amendment deliberate indifference to a serious medical need claim and as to all claims against Corrections Defendants Kulenguskey and Krzykowski. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** in favor of Corrections Defendants and against Plaintiff on these Counts;
 - b. Summary judgment is **GRANTED** in favor of Corrections Defendants Moser, Tripp, and Else with respect to Plaintiff's retaliation, verbal harassment, and conspiracy claims. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** in favor of Corrections Defendants Moser, Tripp, and Else and against Plaintiff on these Counts; and
5. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania